

LEGISLATURE OF NEBRASKA
NINETY-EIGHTH LEGISLATURE
FIRST SESSION

LEGISLATIVE BILL 568

Introduced by Hartnett, 45; Louden, 49; Mossey, 3; Thompson, 14

Read first time January 21, 2003

Committee: Government, Military and Veterans Affairs

A BILL

- 1 FOR AN ACT relating to cemeteries; to amend section 12-1301,
- 2 Revised Statutes Supplement, 2002; to change provisions
- 3 relating to the state veteran cemetery system; and to
- 4 repeal the original section.
- 5 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 12-1301, Revised Statutes Supplement,
2 2002, is amended to read:

3 12-1301. The Director of Veterans' Affairs may establish
4 and operate a state veteran cemetery system consisting of a
5 facility in Box Butte County, a facility in Sarpy County, and the
6 Nebraska Veterans' Memorial Cemetery in Hall County. The director
7 may seek and expend private, state, and federal funds for the
8 establishment and operation of the cemetery system. Any gift,
9 bequest, or devise of real property for the cemetery system shall
10 be subject to the approval requirements of section 81-1108.33
11 notwithstanding the value of the real property. All funds received
12 for the cemetery system shall be remitted to the state treasurer
13 for credit to the Veteran Cemetery Maintenance Fund. The director,
14 with the approval of the Governor, may enter into agreements for
15 cemetery maintenance. The director shall provide lots in the
16 cemetery system for the interment of deceased veterans with an
17 honorable discharge or its equivalent and their spouses, minor
18 children, and unmarried adult children who were physically or
19 mentally disabled and incapable of self-support. Section 12-501
20 does not apply to the state veteran cemetery system.

21 The Veteran Cemetery Maintenance Fund is created. Any
22 money in the fund available for investment shall be invested by the
23 state investment officer pursuant to the Nebraska Capital Expansion
24 Act and the Nebraska State Funds Investment Act. Except to the
25 extent to which (a) money, at the time it is deposited into the
26 Veteran Cemetery Maintenance Fund, is designated for use at a
27 particular state facility or (b) money in the fund must be
28 designated for use at a particular facility to procure or maximize

1 funding for that facility from a federal or private source, the
2 director shall not give preference to any facility in the
3 expenditure of money in the fund and shall treat all approved or
4 authorized facilities equitably.

5 The director may adopt and promulgate rules and
6 regulations to carry out this section. The rules and regulations
7 shall include requirements for proof of residency, cost of burial
8 if any, and standards for cemeteries, including decorations and
9 headstones.

10 Sec. 2. Original section 12-1301, Revised Statutes
11 Supplement, 2002, is repealed.